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Our File No. 9281/3917

ALPS Client Reference NO. N US00009

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Naoya Hasegawa et al. )  
Serial No.: 09/774,781 ) Examiner: George J. Letscher  
Filing Date: January 30, 2001 ) Group Art Unit No.: 2653  
For: SPIN VALVE THIN FILM )  
MAGNETIC ELEMENT AND )  
METHOD FOR MAKING SAME )

## PETITION UNDER 37 CFR 1.181 FOR THE WITHDRAWAL OF HOLDING OF ABANDONMENT

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Washington, D.C. 22313-1450

Dear Sir:

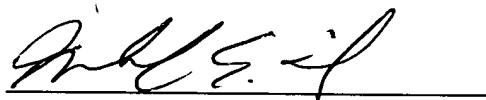
Applicants hereby petition under 37 CFR 1.181 for withdrawal of the erroneous holding of abandonment in this application.

By way of introduction, a Notice of Allowance was mailed by the USPTO to Applicant's attorney's law firm of Brinks, Hofer, Gilson, and Lione. The Notice of Allowance was not received, and subsequently the issue fee was not sent by the Applicants attorney. In response, The Patent Office mailed a Notice of Abandonment.

Attached is a declaration executed by the undersigned attorney that states that the original Notice of Allowance and Issue Fee Due was never received, and attests that a search of the file jacket and docket records indicates that the Office communication was never received by Applicant's attorney's law firm of Brinks, Hofer, Gilson, and Lione, in Chicago, Illinois. Accordingly, as this petition, and accompanying declaration and supporting materials are being timely filed in response to the Notice of Abandonment dated June 27, 2003, the holding of abandonment in this application should be withdrawn per MPEP Section 711.03(c)(II).

Applicants believe that no fees are required, but the Commissioner is hereby authorized to charge payment of any fees, if necessary, associated with this Petition for Withdrawal to Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

Respectfully submitted,



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